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DELIVERED AT LYNN, MASS.,

NOVEMBER 1, 1858,

BY GEORGE B. LORING, OF SALEM,

Democratic Candidate for Congress from the Sixth
District.

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S P E E C H .

Fellow democrats, Fellow citizens :

I congratulate you on the auspices under which, as citizens and democrats, we meet here to take council together upon those high political questions, which occupy us, as an American people. The cloud which has hung over our community, and which twelve months ago gave a severer chill to the approach of winter, and brought pinching penury into your very households, is now passing away. The industry of the artizan, the mechanic, the laborer, has its promise of a sure reward. And as we look beyond our own community, into the great national field of politics, we can rejoice, as patriots, as Americans, over the ever brightening refulgence which gathers around the policy of our country, and gives through each succeeding event in our history, new lustre to the career of the national democracy. We are at peace at home and abroad, and amidst the conflicts of parties, and the strifes of ambition, amidst the ‘cunning devices’ of factions and the temporary triumphs of intrigue, the principles of the constitution as laid down and interpreted by democratic statesmen, shine forth far above the storm, a beacon light to the nation, and the accepted guide of the American people. Demagogues may misuse them, on the one hand, and legal sophists may deny them on the other, but they are the national faith and lie at the very heart of the people.

I stand here, fellow citizens, under peculiar circumstances—not voluntarily, not of my own choice, but by order of the convention which placed me in nomination as a candidate for one of the highest and most important offices in the gift of the people. I have been instructed to discuss before the people of this district, those principles of governmental policy which have made us a great nation, and I am here, on the very eve

of the election, after long and incessant labor in the towns and cities with which you are associated for congressional purposes, to present to the people of Lynn these things which I conceive belong to their political salvation. Since I received the nomination, I have met with every variety of charge, and have been presented in every variety of form, until I have almost begun to doubt my own identity. A correspondent from this city proclaimed one morning through a daily journal in the city of Boston, that I was a “Buchanan democrat”—as if that were a term of opprobrium, against which any honest democrat would care to defend himself. But the very next day the same correspondent in the same paper, announced that I was a “Douglas democrat”—as if that too were an odious distinction. I leave all such classifications as these for the enjoyment of those who stick fast in a dilemma of their own creating. And as a last resort of the enemy, a miserable falsehood with regard to some surgical cruelty said to have been committed many years ago, at a safe distance for the perpetrator of the calumny, has been urged upon the community with an industry which has led me to feel that my political record must be a strong one, when such false and wretched assaults upon my private character are deemed necessary.

Now, fellow citizens, I am here to defend democratic principles, not as a partizan, not as the advocate of any man or any set of men in this country. I sustain the administration, and repel with scorn and indignation all attempts to identify it with any special section or interest, by senseless cries of pro-slavery, hunker, slave-driving and southern dictation. For I remember that this present administration is the work of the national democracy, accomplished amidst just such a storm of just such cries as these, and placed in power with

the hearty approval of all men who love their country better than a sectional triumph, or than a constant agitation for political purposes. And I thank God at this hour, that the destinies of our nation are in the hands of men whose policy is utterly and eternally opposed to the dangerous designs of the republican party, and whose path to power is strewn with the dead and wounded of a routed sectional faction. And as an uncompromising national democrat I am filled with wonder and admiration at the gallant struggle against the enemies of our country, in which senator Douglas is engaged in his own state. When I see him fighting almost single-handed against the enemies of the people, against the sectional agitators of Illinois, against the natural opponents of democracy, against all the modern inventions of a subtle and unprincipled organization, I unite with the spontaneous sentiment of the democracy everywhere in looking for his success with breathless anxiety. My heart goes with every democrat when the republican hounds are on his track.

I come here then not as a partizan or a factionist, but as a citizen of Massachusetts, as a national democrat, to appeal to the national sentiment of this district, to that sentiment which I know pervades our community, and which only needs light to lead it into a bold and honest expression. I do not propose to discuss state matters—for I find in the dominant party here in Massachusetts composed as it is of conflicting factions, ample and convincing record of the true character of the rulers here. I can go to the friends of Gov. Gardner for a judgment upon the removal of Judge Loring, and I can go to Gov. Banks's friends for a judgment upon the enormous debt with which preceding administrations have burdened our state. It is not necessary that democrats should expose the political corruption of those in power in Massachusetts—out of their own mouths they are condemned.

But, as a candidate for a national office, I am called upon to discuss national questions—not banks, nor tariffs, nor our foreign relations, nor our internal improvements, but that one all pervading, all absorbing question, that which fills the mind of all of you who sit here in my presence, and before which all other questions sink into insignificance in an excited community. I mean of course the question of slavery—that question which under the silent operation of our government, under the fair and equitable adjustments of the constitution, was left in the hands of the people of

every locality to settle for themselves, and which would have been peaceably settled, in the new states, as it was in the old ones, but for the operations of political traders anxious for capital in the transaction of their business. It is this question which involves all that is at issue between the contending parties of the present day. It is this question upon which the fate of our republic seems to hang. It is the settlement of this question which contains the whole principle of government under which we live, and which is destined to test the strength of that fabric which our fathers reared on this continent with so much pride and hope. For, let me tell you, the domestic institutions of the several states in this confederacy, are to be left sacredly where the constitution leaves them, and the citizens of the various states are to enjoy the privileges of citizenship over all the common domain of this republic, or we shall come to all the horrors of a revolution, with a new system of government, a new constitution. For myself I revere and admire and believe in the constitution as it exists. I believe in it as a bond of union, which offers throughout a powerful confederacy, "equal and exact justice to all men." I believe in it as containing within itself a remedy for all existing evils, in our republic, through the power which it confers upon the people "to regulate their own affairs in their own way"—a peaceful power of progress and reform, before which all the woes of civil discord pass away, and all the glories of revolutions sink into insignificance. If we are prosperous therefore, and are advancing on a high career, let us adhere to the constitution. If we have evils among us, let us look to the constitution for relief, and learn that whatever the question may be upon this matter of slavery in the states and territories the great principle of popular sovereignty, found in the constitution, furnishes a safe and equitable adjustment.

For the first time in the history of the world, the government which has been established on this continent confers sovereign power upon the people, and upon the various civil organizations into which they are divided. Republics have risen and fallen. Empires have been elevated to meridian splendor and have gone down in night. Monarchies have shot across the sky like meteors, and like meteors have vanished into gloom. But nowhere, in no civil government devised by man has the right of the people as the source of all power been recognised, and the

reserved prerogative of each component organization been carefully preserved in the formation of a central governing body, until our fathers distributed all power from the centre to the circumference. It was the pervading thought of Jefferson's mind, through his active career, and on into the decline of his life. He labored incessantly, even after he had retired from public service, to secure the division of the counties of Virginia into wards or towns, believing that this minute subdivision of power is indispensable to the working of a true republic. This was the spirit which prevailed in the colonies, which was never lost sight of in the revolution, and which became embodied in the Constitution. We sit here to-night under the workings of this benignant system. In her own municipal organization, this city of Lynn has no dictator, no power beyond her limits to decide what is best for her internal interests. You build your own streets, you erect your own school houses, you pass all laws for your own municipal regulation, under powers reserved for you by the constitution of this Commonwealth. Not for a moment would you tolerate outside interference. No neighboring town can have a voice in your affairs. As citizens of Essex County, you enjoy the same privileges. You have your rights as a County, organized as you are for the preservation of peace and good order and for the administration of local justice. You have reserved this power from the State.—Would you endure for a moment any assumption of the power by citizens of a neighboring county, or would you resign it into the hands of that central organization, from which you have kept it sacred? As a commonwealth, moreover, as a State under this confederation, Massachusetts holds her position, supreme and sovereign, so far as her domestic institutions are concerned, and no legislation beyond her limits can possibly interfere with her high estate. Her people would not resign this right. Be the foe foreign or native, be the interference an act of Congress, or the incursion of a neighboring state, the same spirit of freedom which inspired our fathers gathering from their furrows to fight the battles of their country, would nerve our arms to a new contest for popular rights. For it is these rights reserved to us, which make the people of this confederation greater than Presidents, or Cabinets or Senates, placing the highest power in our country in the hands of those whose

fiat makes Presidents, and whose word brings Senates back from doing its service.

To these rights of the states, and to these powers of citizenship, fellow democrats, I know no limit. There is no boundary line within our republic beyond which these powers cannot extend. We claim them for ourselves, and we are compelled to grant them to others. They belong to Ohio, and Kentucky, to South Carolina and California in the same measure that they do to Massachusetts. They are not shut out from the territories. The public domain out of which new states are to be carved, belongs to the people of this republic, and as they enter upon it they carry with them the rights of citizenship which the Constitution guarantees, enabling them to enjoy those privileges there, which they have enjoyed in their original homes. If this assembly of the citizens of Lynn should leave this commonwealth tomorrow and enter upon the territorial possessions of the United States, to cultivate the lands and establish their own institutions, the flag of their country would go with them, the Constitution would extend its broadegis over them, they would carry with them a name and a power greater than ever Roman enjoyed—the name and power of an American citizen. In this enjoyment the Constitution knows no distinction, “no North, no South, no East, no West,” but to all men of every section it secures their domestic institutions, their property, and bestows on Congress simply the power to see that the guarantees of the Constitution are all fulfilled.

This, fellow citizens, is what we call the sovereignty of the people. It is no “modern heresy.” It was proclaimed early in our history. It has been sanctioned by the democratic party in its conventions. It has never been resigned, except when an emergency seemed to require it, and even then against the earnest solicitations of our profoundest statesmen. You will find it in the declarations of our leaders, made from time to time as each crisis in our country has arisen. It lay at the foundation of the Kansas-Nebraska act, that great step in the cause of constitutional freedom on this continent, which has already made the name of our New England President illustrious in our annals. It is the basis of the platform of the party laid down at Cincinnati in 1856, and was the great rallying cry of the democratic party during that memorable cam-

paign. It was adopted by James Buchanan the "national democracy," gentlemen, from which the name was presented to the American people, which these republicans have drawn their own principles from. It is a high and noble principle—unlike a party which in its nature which they bestowed upon him as a reward. A national convention represents but sixteen states of this confederation, not from a party statesman, and he declared that:— which runs a dividing line through our Union.

The recent legislation of Congress respecting the very first act of its existence, ing domestic slavery, derived as it has been, not from a party which claims to its own from the original and pure fountain of legislation of the country all the privileges legitimate political power, the will of the majority, promises ere long to allay the dangerous excitement. This legislation is founded upon principles as ancient as free government—that great fraternity whose fellowship exment itself, and, in accordance with them tends to the farthest bounds of our republic, has simply declared that the people of a territory and in whose ranks the brother from South ritory, like those of a state shall decide for Carolina joins hands with the brother from themselves, WHETHER SLAVERY SHALL OR MASSACHUSETTS, WITH THAT WARMTH OF GRASP SHALL NOT EXIST WITHIN THEIR LIMITS,"—which democrat should give democrat here This interpretation of the rights of the people in our own streets. I accept the compromise has been sanctioned by the opinion of the Supreme Court of the United States.—proclaim here, as I have proclaimed elsewhere. And lastly, gentlemen, it has been accepted where, that the "national democracy" has by the republican party of Massachusetts as always been true to this doctrine of this resolution, that it has never ceased to advocate the only ground upon which their changing leaders can now stand before the people.—it, and that in all our past history it has Do you doubt this? Let me read to you a resolution adopted by this party in their convention in this state last year. When state ten years ago, who have violated the the Bankses and Wilsons and Burlingames great constitutional principle which they marshalled the "friends of freedom" to a new take to hide their own political deformation—new content here, they looked through the record of their own party to find materials for a platform, and among their Wilmot provisions, and Missouri Compromises they found nothing that could stand the test of an hour before the people. Interference by Congress in the states and territories seemed but poor doctrine for these modern times. It was a democratic resolution which offered the only safe foothold for them. And with unparalleled effrontery, with their record behind them, they unblushingly resolved

"That in the language of the Massachusetts democratic convention of 1818, this Convention is opposed to the exercise of any jurisdiction by Congress over the matter of slavery in the territories; but is in favor of leaving to the people who inhabit them the right to establish and regulate their own domestic institutions and relations, under the general principles of the Constitution; and this is a claim for them which cannot be disallowed by the national democracy, devoted as the Supreme Court in its decisions, because it is to the liberty, equality, and fraternity ten years ago it laid down a platform which of this great brotherhood of states." its enemies now adopt, it is charged with

I look upon this as a high tribute to the unwavering devotion to the South and her wisdom of the "national democracy." It is institutions. Now, gentlemen, the democrat-

ie party knows no distinctions among the states of this confederation, and it has never known any. You are told that it has changed its policy, and is not the democracy of Jackson and Silas Wright. You are told that it has deserted the ancient faith. But if you will look over the record of its leading statesmen for the last forty years, if you will read its platforms, if you will examine its acts, you will find that the doctrines of that resolution which I have just read has been the guide to all its operations, and the light of all its counsels. The democratic party changed! Why, had you lived in the days of Jefferson you would have heard this same pro-slavery charge brought against it. In 1812, the opposition had no other weapon to use against us. In 1820, the cry was still against the pro-slavery democracy. It was continued throughout the administration of Jackson and Van Buren. It 1844 it burst out with renewed fury. In 1848, it was repeated. In 1852, you heard it from one end of the land to the other. In 1856 the whole rally of the opposition was upon this charge. You hear it at this day. How then has the democratic party changed? If in the opinion of its opponents it was pro-slavery half a century ago, and is pro-slavery now, how can it have changed? I take their own groundwork of assault as a proof of the unwavering and persistent and consistent course of the "national democracy." According to the testimony of our opponents, our crime has been the same throughout the whole life of our party. And you may learn from the testimony of our friends that our virtues as a party have been the same. No fellow-democrats, our party has not changed. It is the same party of constitutional freedom to-day that it was when the constitution was adopted. It accepted in 1791 the great truth of Jefferson with regard to the rights of the states and it has never abandoned it. It is the party of freedom now as it was then. And if you will bear with me for a few moments, I will present to you as I had occasion to do repeatedly to the democratic party throughout the New England States, in our last national campaign the fidelity of the democracy to the great interests of this republic regardless of sectional divisions, and the entire inconsistency of its opponents.

I have told you that this "pro-slavery" charge is no new complaint of the opposition. The democratic party has been engaged, according to the opposition for more than fifty years in extending slavery. This may be so—but considering the fact that the democratic party has been in power more than three quarters of the time, it has met with but poor success in its peculiar calling. I find that on the adoption of that constitution, there were but thirteen states, all interested more or less in the institution of slavery, and all reserving to themselves the right to regulate this matter according to their own interests and necessities. And at a time when the constitution left this matter with the states in their sovereign capacity, the slave states had a strong body of representatives in Congress. In 1811 the difference in favor of the free states was only fifteen. But under the auspices of that party which has enlarged our borders and multiplied our states the majority of free-state representatives has reached fifty-three. Is this the work of the opposition? Can the party which in all its Protean shapes has risen up against the democracy, and has opposed the acquisition of new territory, and the introduction of new states, which would have confined our republic between the Atlantic coast and the Mississippi, which resisted the purchase of Louisiana, and considered the annexation of Texas "of no binding force whatever," can this party claim the distinguished honor of thus enlarging the power of the free states in Congress? Why it is one of the proudest boasts of the "national democracy" that under their interpretation of the constitution, the foundation of our republic is so broad that state upon state can be added to the column until it reaches the arch of heaven. It has been, and is their work to multiply states here in this confederation, regardless of the institutions of the people, and requiring only that their government should be republican in its form.

Have you forgotten that when the Missouri compromise was passed it was denounced as an act of the "pro-slavery" democracy? Why, that measure was never even acceptable to the soundest democratic statesmen. Jefferson looked upon it with intense alarm, and foretold its inevitable repeal. It was adopted with the hope of allaying this northern agitation. It involved the dedication by the south of a large tract of country lying north of 36 degrees and 30 minutes north latitude, being a part of the territory ceded by France to the United States, and by treaty consigned to

slavery, to the free states. It was intended as a peacemaker. And yet your own faithful representative from Massachusetts Mr. Shaw of Lanesborough, the senator from New Hampshire Mr. Parrot, Mr. Lanman of Connecticut were all insulted and burnt in effigy, by these very men who now talk about "that sacred compact," and mob the men of the north who voted to repeal it. They hang and burn our effigies if we vote for the compromise, and they hang and burn us if we vote against it. Can you tell me how we are to satisfy these modern samples of consistency, whose great charge is that the democracy changes its policy?

When the Mexican war was fought and those deeds of valor were enacted, which gave us a long line of heroes, warriors and statesmen, and added new lustre to our name as a warlike people, this "pro-slavery" charge was heard once more. Can any man point to the power it has given the south? Is not the addition of the rich and prosperous State of California, a free state, opening her markets for our manufactures, pouring her golden treasures into our lap, establishing free institutions on the shore of the Pacific and carrying our constitution there, a glorious reward for that struggle? And yet this was the work of "the national democracy," sustaining the honor and laboring for the prosperity of our country, while this freedom-loving opposition were praying that our soldiers in Mexico might be welcomed "with bloody hands to hospitable graves."

An ardent republican undertook to reply to me in a neighboring town not many nights ago, and he claimed that no credit was due the democratic party for the addition of a free state out of territory acquired by the Mexican war—but that the Providence of God used the party in this instance for high and good purposes. This may be so, my friends, but did it ever occur to you that the Providence of God never used the republican party for any good purposes?

Again, fellow citizens, when the Kansas Nebraska act was passed, the measure of these agitators seemed to be full. The whole land rung with their indignant protests. Every art that the ingenuity of man could devise to prevent and misrepresent the act, was adopted. The senate of the United States was made the scene of the most dishonest partizan movement, ever known in the country. Three thousand

clergymen of New England appealed to Almighty God to prevent the passage of the act. It was the last great step of the "national democracy," we were told, in the infamous work of extending slavery. And yet it embodied the sentiments and almost the very words of the resolution I have read to you. It is the embodiment of that very doctrine which the republican party now claim as their own. You have been told by republicans in your own country that Kansas was coming out of her troubles because the "guarantees of the Nebraska bill are all fulfilled." And you may learn from the Hon. Eli Thayer, the gentleman who enlarges his party by colonizing, the most vigorous opponent of the democracy, that Kansas is a free state because the Missouri Compromise was repealed, and the Kansas-Nebraska act was passed. I believe with Mr Eli Thayer. At the time of the passage of the bill, I foretold that in ten years you could not find a man who was ever opposed to the Nebraska act. Not five years have rolled away, and the opposition have already begun to claim it as their policy, and to ascribe to it the consummation of their wishes. The justice and constitutionality of the bill no man could deny. It had the very light of freedom irradiating every line of its various sections. It proclaimed a system of government which had made every old state free and sovereign, and will make every new one another star in our galaxy. The freedom it bestowed upon the people of Kansas, is precisely that freedom which we enjoy in Massachusetts, and which we should claim were we to leave our "stern and rock-bound coast" for the broad and verdant savannahs of the south. It left the people free to "settle their own affairs in their own way" under the constitution. I had the honor of defending the bill before the democrats of this county in convention, in the first speech delivered in its behalf in New England. I have never ceased to be proud of the reception you gave me, and of that flattering consideration which prompted you to circulate that speech throughout your party. I defended it because I thought it contained the fundamental doctrines of freedom. I defended it because it declared "its intent and meaning to be not to legislate slavery into the territories nor out of them." I defended it because it extended "equal and exact jus-

tice" to all the people and all states in our confederation. And I here declare that on no other consideration would I have defended it. Had I supposed it was intended to carry slavery into Kansas, or to give any one state an undue advantage over another there, had I supposed that its object was to interfere with the rights of the people of that territory, or to give them over to the tender mercies of congress, my tongue should have cleaved to the roof of my mouth before I would have sustained it. I believed then, and I believe now, that the principles incorporated in the bill is dear to the hearts of the American people, and that it will lead any party on to victory. I do not wonder, fellow democrats, that our republican opponents are anxious to adopt it. Will they be honest and honorable, and acknowledge that the "national democracy" was not devoted to slavery when they passed the bill?

Have you discovered, fellow citizens, in these acts any foundation for the pro-slavery charge prepared against the democratic party? I find none. I find that by word and deed, they have indicated an even-handed and impartial regard for the whole union. In all the attempts that have been made to pervert their acts there has been this one all-pervading policy. In the conflict in Kansas, which was nothing more nor less than a fight between a wretched, miserable band of border-ruffians from Missouri, and an equally miserable wretched band led on by Gen. Lane from the New England states, you all know what constant efforts were made by your democratic President to preserve peace and good order there. You all know how promptly a democratic senate endeavored to repeal the obnoxious laws there. You all know the course pursued by a republican house of representatives in their bill fastening slavery upon Kansas. And if you have followed out the history of the republican party in these matters, you have seen with astonishment their action upon the Lecompton bill during the last session of congress. The "Lecompton swindle," as they called it, was the sum of all human horrors. They denounced it with new zeal. They denounced the convention which framed the Lecompton constitution. They denounced the territorial legislature which called that convention. They denounced the voters who sustained that legislature. They had their alternative by which they were to live or die. The constitution which the free state men had adopted at Topeka, that work of a factious party in the territory, they declared to be the only constitution which by any act of theirs should be fastened upon Kansas. They refused to recognize any act of the territorial legislature directly or indirectly. But as time went on, Mr. Crittenden of Kentucky presented a bill upon the Lecompton question in the senate; it came down to the house and Mr. Montgomery of Pennsylvania moved an amendment to the bill,—the substance of both being that if the people of Kansas desired to come into the union under the Lecompton constitution they could do so—and proclaiming that:—

"The people of the territory of Kansas did, by convention of delegates assembled at Lecompton on the 4th day of September, 1857, for that purpose, form for themselves a constitution and state government, which said constitution is republican in form."

For this bill the republicans in the house voted. It was hard work for some of them, but they did it, and down went their Topeka constitutions, and all their charges against the unconstitutionality of the territorial legislature. Their glorious project of freedom was thrown to the winds. Once more they were compelled to recognize the propriety and legitimacy of democratic policy. Again they abandoned their old ground, and went before the country, a contemptible party of expedients, devoid of principle, devoid of honesty, devoid of that sense of rectitude which is always more triumphant than the thousand shifts of the artful and cunning.

When I contemplate the course of such a party, when I consider the intricacies of its career, when I bring to my mind the ever shifting expedients to which it is obliged to resort, in its vain endeavors after victory, and compare it with that great party whose path to victory is laid down in the constitution, and which pursues but one course in its policy, I am reminded of that old fable of the cat and the fox. A democratic cat and a republican fox sat beneath a tree one summer afternoon discoursing upon the chances and changes of life, and while the fox boasted of the thousand expedients by which he could escape from the hounds, and told of all his doublings and turnings, his Wilmot Provisos, his Dunn's bills, his

Crittenden-Montgomery bills, his protective tariffs, and his Missouri compromises, the cat sat looking demurely on thinking only of the superior prowess of her sly republican neighbor. At that moment the hounds hove in sight, and as the cat rushed up the broad overarching constitutional tree beneath which they sat, she looked down from her place of safety to see her adroit and wily companion torn into more pieces than he had expedients, or than his party had planks to their platform, I think the moral is a good one.

For myself, for my party, for my country, I claim but one ark of safety—the constitution with its guarantees. And when I look back over the history of the two parties into which our people are divided, and find on one side, as I have shown you, a steady and consistent observance of the doctrine contained in the resolution I have read, a fearless fidelity to the common rights and interests of our whole country—and on the other a temporizing, inconsistent and evasive policy, I am proud to take my stand with Jefferson and Jackson, as a “national democrat.” If they were pro-slavery, I am content in my humble way, to accept the same title. I could not come before the honest voters of this district, the candidate of that party which in its national convention in 1856, resolved:—

“That the constitution confers upon congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is the right and imperative duty of congress to prohibit in the territories these twin relics of barbarism, polygamy and slavery;”—and in its Massachusetts state convention in 1859, declared that “this convention is opposed to the exercise of any jurisdiction by congress over the matter of slavery in the territories.” I could not do this and look honest men in the face. I leave such work for candidates who have their “thousand expedients,” and who prefer to exercise them, rather than to look the men of this District in the face. I leave it to the republican candidate here, in your own city—a gentleman, who, after a long life of bitter sectional agitation, in which he has proclaimed uncompromising war upon one section of our country, and has defied constitution and law in his abolition zeal, now seems to be filled with a sudden sense of the rights of our citizens in the territories, if we may suppose him to

echo the voice of his party, as expressed in this state. It is unnecessary for me to discuss Mr. Alley here. You know him better than I do. As he has spoken no word, and made no sign in this campaign, I am authorized to believe that he is contented with representing that party whose crooked and devious ways I have endeavored to mark out to you. You know whether he possesses these public and private characteristics which make him a fit representative of that party. And I leave it to you to say whether in smoking them out, I have not also smoked out their candidate. If he enjoys the awkward position in which he is placed by his friends, standing upon a democratic resolution to fight the democratic party, he is certainly well qualified to enjoy the kind of success, such a position may possibly bring. It is not surprising that he should show no disposition to discuss the leading questions of the day, under these circumstances. I leave him with his party, to avail himself of any new “expedient” which may arise.

But, fellow democrats, I find myself not engaged in single combat in this campaign. When I entered upon the work of defending democratic principles I supposed I should be obliged to meet the open and avowed enemies of the party alone. I did not anticipate a triangular contest. I knew that an honest democratic convention, after a fair and honorable struggle, had selected myself as the candidate of the party in this district. I expected to receive that support which I was ready to give. Had the choice of that convention fallen elsewhere, you would have found me a soldier fighting in the ranks as earnestly as the most ardent among you. The platform upon which I took my stand when I was nominated, is that by which a democratic administration is now conducting the affairs of the country. Your resolutions I do declare. And I look upon the efforts of a disappointed aspirant, going out of that convention, and using a false charge of fraud for an opportunity to gratify his personal malice, and an insult to the democratic party and to a democratic administration.

It is such defection as this, that has brought forward in our district, what is called an “independent candidate”—that kind of politician, which Burke calls “the most dangerous and mischievous of all politicians.” A coalition of factions in our district has selected a gentleman to represent their views, who has been a long time in

search of a party, and has at last found one among men who are ready to go far back into the archives of the old Essex Junto, for their platform of faith. Perhaps this is all well enough. It gives that venerable body an opportunity to speak once more, in the person of the Hon. Otis P. Lord. And I confess that I have been entertained and amused, with the exhibition of the rare and respectable relics of antiquity, which has been made by him, under the superintendence of a few dissatisfied democrats, whose names shall never be perpetuated by any word of mine, and whose character you all fully understand.

I have no doubt Mr. Lord thinks he is serving his country and his party, by taking his present position in this district.—But I tell you, fellow democrats, and all national men, he has presented a platform of principles to the voters here, far more dangerous and far more sectional than any that our more adroit and nimble opponents have dared to promulgate. I pass by his Americanism—for the compliments I have heard him pay the American party in times past, enables me to set a true value upon his professions on that matter. I will not discuss his theory of a high protective tariff—for I take it for granted that he who prides himself upon having been baptized into the faith, and rather despises a new convert, will never learn that the people of this country rejected the impoverishing and exclusive system of protection long ago, and crushed it out beyond the hope of redemption. But I desire to dwell for a few moments upon his theory of the power of Congress over the territories, in order that all national men who are asked to vote for him, may see where he is leading them, and in order to confirm my statement that he presents a system of government which no free people, no free confederation, no free state would tolerate for an hour. I propose to show that he is an agitator of the most dangerous sort.

In his speech at Salem, accepting the nomination as an "independent candidate," Mr. Lord defines our system of government, as an independent authority created by "the people of the United States," and clothed with delegated powers, not in the form of a confederacy of States but in the form of a sovereign government, intended to create a sovereign nation. Under the control of this supreme power, he places the territory of the United States, denying that the constitution goes there, except by act of congress, and that any people can go there except by authority from congress. He seems to consider those clauses of the constitution by which the government of the United States is clothed with power to declare war and make treaties, as conferring upon government the sole and absolute control of territory acquired in any manner—in fact the possession and ownership of lands not divided into organized states. Under this theory of government, it is natural that he should declare that "this government has power over the territories—THAT POWER WHICH ANY SOVEREIGN GOVERNMENT HAS OVER TERRITORY THAT IS ACQUIRED BY WAR OR TREATY;" and that "absolute, supreme, unlimited power" should be exercised by congress over the territories. It is natural that he should look with a jealous eye upon any construction of the constitution which would "give up the territories to anybody and everybody who happens to go there." And it is natural moreover that he should find himself, in his definition of the duties of a representative in congress, limited to the state from which he is sent—he might have added be it South Carolina or Massachusetts.

Now, fellow democrats, I have not been taught to understand our national government, or to read our constitution in any such way as this. In the convention which framed our constitution, a contest arose between the advocates on the one hand of just such a government as that laid down by Mr. Lord—a government intended as Hamilton expressed it, "to swallow up the state powers"—and on the other hand, the advocates of a federal compact, a league among the states, a confederation of co-equal powers, a union of sovereign states, a federal organization, expressed by that great synonym of republicanism, the United States of America. Thank God, this latter policy prevailed. And we are living to-day, not under a government consolidated for the creation of national supreme power, not under a government of the people of this country, not under a government which has "supreme, absolute, unlimited power" over the territories as the property of government—but under a FEDERAL constitution, under a government composed of powers delegated by the states with a jealous regard for their own rights, under a government denominated by Washington "the federal government of these states," under a government which

simply holds the territory of the United States in trust under safe keeping, for the common occupation of the states. The constitution, in its body recognizes no other form of government than a federal form, in which our republic, is above the colonial possessions of Great Britain on this continent, or the relation which conquered Algeria holds to her imperial conqueror.

both branches of Congress the existence of states as distinct and independent communities, and not as "districts of one great community." And if our opponents will read the history of their country aright, they will find that the first act apportioning the members of the House of Representatives, was vetoed by Washington, because it assumed as its basis of apportionment the existence of one nation or community, and not the existence of so many independent states. It was the states, which made the constitution, and it is the states which through their legislatures or through conventions called for the purpose, can alone amend the constitution, by an agreement of three-fourths of their number. We ought never to lose sight of this distinctive character of our government. It is the foundation of all our power. It enables our republic to expand by the multiplication of free and sovereign communities, each one of which feels the full value of its relation to the confederation, and of the powers it has delegated to the general government.

I conceive it to be a federal constitution of this description which extends over the territories as the common property of the United States. If it is true, as Mr. Lord avers, that "the Constitution of the United States to-day is limited to the people of the United States," I claim that the people of the United States are to be found, wherever our territorial possessions extend. A citizen of Massachusetts who leaves his home here for the enjoyment of new social relations, and for the formation of a new civil organization within the limits of territory belonging to the United States, carries the flag of the Union with him. The constitution attends him. He goes with the supreme law of the land, a free, American citizen, to found a free, American, republican state. This is the peculiar genius of our government—that genius which enables our people to build up not tributary colonies, but sovereign members of our glorious confederation. It is this which distinguishes us as a people, and elevates every settlement made by American citizens on American soil, as far above territories acquired by Roman conquest, or colonized by England, or subdued by France, as a free and sovereign state in trust under safe keeping, for the common occupation of the states. The constitution, in its body recognizes no other relation which conquered Algeria holds to her imperial conqueror.

Mr. Lord thinks the Chief Justice of the Supreme Court of the United States in supporting this view of the Constitution was guilty of heresy—that there is a fallacy in his argument. Perhaps there is. But I am fully as ready to take my understanding of the Constitution from "that most able jurist and pure-minded man" Judge Taney, supported as he is by all sound democratic authority, by our statesmen, by our party action, as I am to be taught my duty in this respect by an able and skillful Essex County Lawyer, supported by the abandoned and exploded theories of unsuccessful statesmen, and by the expedients of narrow minded politicians, who have never learned that they have any obligations to their country, beyond the limits of Massachusetts.

When moreover Mr. Lord appeals to Mr. Calhoun as he does to sustain him in his interpretation of the Constitution, and his understanding of the powers of congress in the territories, I too appeal to Mr. Calhoun, and in order that you may judge who is right in this matter, Mr. Lord, who has not given a single line from Mr. Calhoun, or myself, I quote from a speech of this great statesman delivered in the United States Senate in 1849, upon this very question of the extension of the Constitution over the territories. He says:—

"The constitution interprets itself. It pronounces itself to be the supreme law of the land. The territories of the United States, are a part of the land. It is the supreme law, not within the limits of the union merely, but wherever our flag waves—wherever our authority goes, the constitution in part goes, not all its provisions certainly, but all its suitable provisions. Why, can we have any authority beyond the constitution? I put this question solemnly to gentlemen; if the constitution does not go there, how are we to have any authority or jurisdiction whatever? Is not congress the creature of the constitution? Does it not hold its existence upon the tenure of the constitution? And would it not be annihilated on the destruction of that instrument, and the consequent dissolution of the confederacy? And shall we the creature of the constitution, pretend that we have any au-

thority beyond the constitution?"

It is no argument against this view to say that it is inapplicable to countries already settled, and acquired by us by treaty or conquest. The constitution goes also, wherever our treaties carry it, and in a form and to an extent defined by treaty stipulations. As in the case of New Mexico, so in every other case. There our power becomes unlimited. The constitution carried there by treaty, established the rights of our citizens there. As Mr. Calhoun says, in his speech on the Oregon bill, in 1848:—

"As soon as the treaty between the two countries is ratified, the sovereignty and authority of Mexico, in the territory acquired by it become extinct, and that of the United states is substituted in its place, carrying with it the constitution, with its overriding control over all the laws and institutions of Mexico inconsistent with it."

The question now arises, what power has congress over the territories? Mr. Lord says it has "absolute, supreme, unlimited power," power to "exclude a class or a race even," power to "exclude the whole, if in the judgment of the country that was deemed good policy," power I suppose to exclude the people of one state and admit those of another, power to carry the Maine law into the territories, power to suspend the writ of habeas corpus, power to make laws respecting the establishment of religion, or prohibiting its free exercise, power to pass ex post facto laws, power to establish a system of education, power to extend municipal regulations over a territory, in violation of that right which our citizens have reserved of immediate control over those institutions upon which depend their social safety, prosperity, and happiness. In his zeal to defend the absolute powers of the United States government, Mr. Lord claims for it not only proprietorship of the soil, but also "political sovereignty"—proprietorship of the people. And herein, let me suggest, lies his fallacy. The constitution has conferred no such power on congress. It has given it none of that absolute control, which if it existed would remove from the people of the territories all jurisdiction, every prerogative which makes them free, and would place them in the hands of men thousands of miles away, ignorant and regardless of their dangers and necessities. Such a system would be abhorrent to every principle of our government. It is a power which has never been conferred

upon congress directly or indirectly. I look in vain for any implied power of this sort, growing out of any possible method by which territory may be acquired, by cession from the states, or by war or treaty, with the authority which the war and treaty making clauses of the constitution might be construed to confer. I look in vain for any power which congress possesses superior to the constitution. And I have a right, therefore to believe that congress can never go into the territories, let them be acquired in what manner soever they may, except as the agent of the constitution, to see that its requirements be all fulfilled. A territorial existence is usually attended with certain wants which the general government alone can supply. It is a sort of pupilage, preparatory to assuming the responsibilities of a sovereign state. With but few inhabitants, the expenses of a government could not be borne. And when the general government supplies a territory with executive officers, with a judiciary, with post offices, land offices, and means of defense, it discharges a duty which interferes in no way with a free exercise by the citizens, of those rights and powers secured by the constitution, or with the possession of all property recognized as such in the several states. The power of congress is limited to this, and can in no way invade the sovereignty of the people. And even this power small as it is, cannot be extended beyond that time, when the people ready to assume the responsibilities of government, present themselves at the doors of congress, with a republican constitution, and demand admission into the union as a sovereign state. I see nothing in this definition of the power of congress, which enables it to extend slavery into the territories, or exclude it therefrom; but I do see that power granted by those who would make congress supreme in the territories, and would control its action, by a sectional struggle in which the victorious party gains possession of the common property of the confederation.—Should the day ever come, when congress shall endeavor to exercise that supreme power in the territories, which is claimed for it by the "independant candidate" for congress in this district, a most dangerous blow will be struck at our republic. As a northern man I would not submit to it. Nothing but a victory of one section of this confederation over another, could possibly clothe congress with such power, with power to bind and loose.

to include and exclude according to its sovereign pleasure: and were I a victor in the conflict I should look with shame upon my trophies—were I vanquished I would never silently submit to the tyrannical exercise of power to which I should be subjected. I pray that the longest life in this hall may not extend over such a triumph; for whoever does live to see it, will behold the great temple of our constitutional freedom tottering from foundation to dome, on the verge of indiscriminate ruin.

I am not surprised, fellow citizens, at the position in which Mr. Lord finds himself at the conclusion of his discourse upon the powers of congress, and the character of our constitution. He has no alternative but sectionalism. When he declares that "whoever shall represent Massachusetts in congress, is not only recreant to his own constituents, not only recreant to himself, but he is recreant to the great interests of this republic, if he cast a vote or does an act that shall not tend to the establishment in every territory of the free institutions and the free labor of New England," he takes his stand with those men north and south who would pervert the constitution to their own sectional purposes. Let him transport himself to South Carolina, and the obligation which he has imposed upon himself would send him to congress, if he should go there at all, bound to extend southern institutions over every foot of American soil. Are there not duties higher than this? Did Massachusetts join the confederation with a complacent sense of her own superiority, and for her own aggrandizement, that she should call upon her representatives in congress, to forget their obligations to her sister states, in their devotion to herself? If this be so, if each state is to feel that she alone is entitled to the privileges which the constitution secures, we are not living in that republic which our fathers founded, when they proclaimed to the world, that "in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves, and their posterity," they did "establish this constitution for the United States of America." If this be so, we have no union. Fear and interest may bind us together with temporary bonds, a rivalry of states, striving for ascendancy in the national councils, and struggling for the possession of that power which goes with the general government. But the common tie which united this powerful family of states, and has extended our free institutions from sea to sea, starting the nations of the earth with the vigor and grandeur of republican enterprise, can exist no longer. A representative of Massachusetts who forgets that he is living under a flag whose folds are irradiated with other stars than his own, is indeed recreant to the constitution of his country. He labors for a civil convulsion. He insults the memory of those illustrious statesmen who made Massachusetts what she is, by enrolling her name in a free confederacy, and by securing to her citizens their share of the glory and prosperity of a great republic. He serves his state best who serves his country best; and who feels in his heart the full power of that citizenship which the constitution carries into our remotest borders, into territories waiting to receive our institutions, into the rich and luxuriant islands of the sea—a power which congress can neither give nor take away. He is the truest patriot who carries to the halls of congress, a comprehensive statesmanship, and a devotion to his whole country, which would raise to a high and commanding equality all the states of our confederation, and would give an honorable recognition to those mutual rights and interests which all have in our common possessions. Not by advocating the supreme power of congress in the territories, not by ignoring the genius of the constitution, not by inflaming our country with sectional warfare, not by violating that sentiment of free citizenship which lies at the heart of the people, can a young man prepare the way for an honorable career, or an old one give new glory to the evening of his days. For the constitution provides no home for such heresies, on this continent.

I have been called upon, fellow democrats, to withdraw from this contest, and to give my support to Mr. Lord, as against Mr. Alley. Why I was thus called upon I could never exactly tell. For I have assurances in this thronged and crowded hall, that there is a party in this city, which will never accept such doctrines as Mr. Lord has avowed, and such as Mr. Alley believes. I have learned in the campaign in this district that there is a

body of men within its limits, who have a ereignty of the people. And I shall stand quick and hearty sense of democratic truth, by them as a part of the "national democ- and who are not to be lured away from racy," sustaining the only policy which them by the sophistries or temptations of has made our country great, and can carry an "independant candidate." I have been it on to new and greater glory. I shall placed in nomination by men who believe never withdraw from a contest with every in the truth of democracy, in the wisdom form of sectionalism, under whatever of the supreme court of the United States, name it may appear, until called upon to do in the power of the constitution, in the so by that party which it is my pride and right of citizens in the territories, in the duty to defend and support. limited powers of congress, and in the sov-

